



Attorney Document No. 32301WD190

Section 2
Box Seq.
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
)
 Brigitte BATHE, et al.) Examiner: To Be Assigned
)
 Serial No. : 09/941,945) Group Art Unit: 1645
)
 Filed: August 30, 2001)
)
 For : NUCLEOTIDE SEQUENCES CODING FOR THE sigD GENE

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL
APPLICATION, FILED UNDER 37 C.F.R. 1.53(b)**

Attn.: Box Missing Parts
Asst. Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application mailed October 18, 2001, Applicants submit herewith the following documents relating to the above-captioned patent application:

- A copy of the Notice to File Missing Parts of Application;
- Executed Declaration and Power of Attorney;
- Assignment Recordation Cover Form attached w/ executed Assignment;
- Preliminary Amendment;
- Sequence Listing Submission Statement;
- Sequence Listing with computer-readable disk; and
- Check for \$1,054.00.

The check in the amount of \$1,054.00 enclosed is to cover the following fees:

Basic Filing Fee:	\$ 740.00 (large entity)
Add'l Claim Fee:	\$ 144.00 (8 additional claims over 20)
Surcharge:	\$ 130.00
Recordation Fee:	\$ 40.00
TOTAL:	\$1,054.00

If any additional fees are due in connection with this filing, such as fees under 37 C.F.R. §§ 1.16 or 1.17, the Commissioner is authorized to charge the fees to SGR Deposit Account No. 02-4300; Order No. 032301.190. Similarly, please credit any overpayment to SGR Deposit Account No. 02-4300.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

By: _____

 45,338

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Dated: December 11, 2001

#5



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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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DEC 11 2001

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APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/941,945	08/30/2001	Brigitte Bathe	32301WD190

CONFIRMATION NO. 6360

FORMALITIES LETTER



OC000000006933719

SMITH, GAMBRELL & RUSSELL, LLP
SUITE 800
1850 M STREET, N.W.
WASHINGTON, DC 20036

Date Mailed: 10/18/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12/13/2001 AGOITOM 00000018 09941945

FILED UNDER 37 CFR 1.53(b)

01 FC:101	740.00 OP
02 FC:103	144.00 OP
03 FC:105	130.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$144.
 - \$144 for 8 total claims over 20.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 984.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE